

LAW OFFICES OF

*James R. Cypher*JAMES R. CYPHER
CHARLES R. CYPHER
NICOLAS S. GOLDPATENT, TRADEMARK & COPYRIGHT LAWYERS
1607 FINANCIAL CENTER BUILDING
405 14TH STREET
OAKLAND, CALIFORNIA 94612-2747TEL (510) 832-4111
FAX (510) 832-4115

FACSIMILE TRANSMITTAL

From: James R. Cypher
Questions? Call (510) 832-4111
Fax (510) 832-4115
To: USPTO
Attn: Examiner Yip
File: SST/1148
Subject: Serial No. 09/922,581
Date: August 27, 2002
Time: 2:41:38 PM

405 14th Street, Suite 1607
Oakland, CA 94612-2747
Fax No.: (703) 308-3519**FAX RECEIVED**

AUG 28 2002

GROUP 3600

Pages: 3 (including this one)

☐ URGENT☐ FOR YOUR FILES☐ PLEASE APPROVE AND RETURN TO JRC☐ OTHER

THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL OR ENTITY NAMED AS THE RECIPIENT HEREOF AND MAY BE ATTORNEY-CLIENT PRIVILEGED OR CONTAIN CONFIDENTIAL/INSIDE INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY AND DESTROY ALL PAGES RELATED TO THE INCORRECT TRANSMISSION.

SPECIAL INSTRUCTIONS:

Practitioner's Docket No. SST/1148

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alfred D. Commins, Robert C. Gregg, William F. Leek, Karen W. Colonias, and
Arthur R. Linn

Application No.: 09/922,581

Group No.: 3635

Filed: 08/03/01

Examiner: Beth A. Stephan

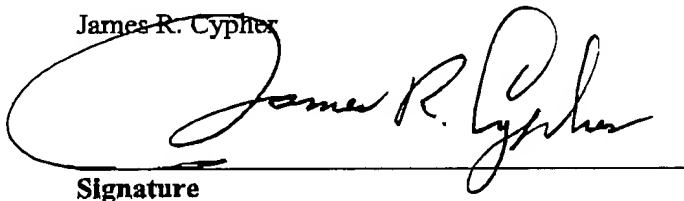
For: Building Wall for Resisting Lateral Forces

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and
Trademark Office at (703) 308-3519 on the date shown below:

8/27/02
Date

James R. Cypher

Signature

FAX RECEIVED

AUG 28 2002

GROUP 3600

AUG 28 2002

PTO/SB/25 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

SST/1148

In re Application of: Alfred D. Commins, et al.Application No.: 09/922,581Filed: August 3, 2001For: Building Wall for Resisting Lateral Forces

The owner*, Simpson Strong-Tie Co., Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 08/975,940, filed on 11/21/97, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

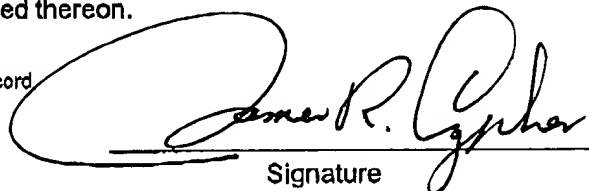
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

 8/27/02
Signature Date

James R. Cypher

Typed or printed name

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included. Terminal disclaimer fee already submitted.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.